

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

1533 Cadillac Blvd., LLC,

Plaintiff,

v.

Case No.: 19-11371

Honorable Victoria A. Roberts

Cadillac Nursing Home, Inc.,  
Dba St. Francis Nursing Center,  
A Michigan Corporation, et al.,

Defendant.

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**ORDER GRANTING MOTION FOR DEFAULT JUDGMENT [ECF 14]**

**I. Introduction**

1533 Cadillac Blvd., LLC sued multiple parties in this quiet title action. Some settled; others answered. Plaintiff now seeks default against those Defendants that did not answer: The City of Detroit Building and Safety Engineering Dept., Ability Insurance, and Riverbank Convalescent Home, Inc.

**II. Background**

Mary Boland, deceased, conveyed 1533 Cadillac, Detroit, MI 48214 ("the Property") to Cadillac Nursing Home, Inc., a Michigan Corporation. Over the years, through mortgages to other companies, government tax liens, and a foreclosure, eight parties obtained an interest in the Property.

The City of Detroit Building and Safety Engineering Dept., was personally served with the summons and complaint on April 9, 2019. Defendants Ability Insurance and Riverbank Convalescent Home, Inc. were served through certified mail on April 11,

2019. None of these Defendants responded to the complaint. On June 19, 2019, the Court Clerk entered a default against them.

### **III. Analysis**

Obtaining a default judgment is a multi-step process governed by Rule 55 of the Federal Rules of Civil Procedure. The plaintiff first receives an entry of default. Fed R. Civ. P. 55(a). However, before default judgment can enter under Fed. R. Civ. P. 55(b), the plaintiff must show that the defendants were properly served in order for the court to have personal jurisdiction over them. *Kana Inv. Corp. v. FDIC*, No. 12-13689, 2013 U.S. Dist. LEXIS 112006, at \*2 (E.D. Mich. July 10, 2013). The plaintiff properly served the Defendants pursuant to the Michigan Court Rules.

### **IV. Conclusion**

Accordingly, the entry of default from the clerk was proper, and under Rule 55(b)(2), 1533 Cadillac Blvd., LLC is entitled to a default judgment of quiet title to the Property against Defendants: The City of Detroit Building and Safety Engineering Dept., Ability Insurance, and Riverbank Convalescent Home, Inc.

**IT IS ORDERED.**

s/ Victoria A. Roberts  
Victoria A. Roberts  
United States District Judge

Dated: August 26, 2019